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PRODUCTS and JOHN NISWONGER

11 UNITED STATES DISTRICT COURT

12 NORTHERN DISTRICT OF CALIFORNIA

13 OAKLAND DIVISION

14 GOLF CITY PRODUCTS, a partnership, and
15 JOHN NISWONGER, an individual,

16 Plaintiffs,

17 v.

18 AFTERSHOCK, a sole proprietorship,
JENNIFER WHITE, an individual, REX
19 WHITE, an individual, JSMD KEY
PRODUCTS, LLC, a corporation, and JAMES
20 LARSON, an individual,

21 Defendants.

CASE NO. c 11-03547 CW

**STIPULATION AND ORDER FOR
WITH PREJUDICE DISMISSAL OF
ACTION AS TO AFTERSHOCK,
JENNIFER WHITE, AND REX
WHITE**

22 WHEREAS:

23 A. Plaintiffs Golf City Products and John Niswonger (“Plaintiffs”) have reached an
24 agreement with Aftershock, Jennifer White, and Rex White (the “Aftershock Defendants”), settling
25 the disputes as between Plaintiffs and the Aftershock Defendants which form the subject of this
26 action, and all related disputes;

27 B. The settlement agreement provides, among other things, that this action shall be
28

1 dismissed with prejudice as to the Aftershock Defendants, and that this Court shall retain
2 jurisdiction to enforce the settlement agreement, if necessary:

3 NOW THEREFORE, IT IS HEREBY STIPULATED by and between plaintiffs Golf City
4 Products and John Niswonger, of the one part, and Aftershock, Jennifer White, and Rex White, of
5 the other part, through their undersigned counsel, that:

6 1. The action shall be dismissed with prejudice as to Aftershock, Jennifer White, and
7 Rex White;

8 2. This Court shall retain jurisdiction to enforce the settlement agreement, and to
9 adjudicate any disputes relating to the performance or non performance by any party of its
10 obligations under the settlement agreement, and for all other purposes relating to the settlement
11 agreement; and,

12 3. Plaintiffs Golf City Products and John Niswonger, and Aftershock, Jennifer White,
13 and Rex White, shall each pay their own costs and attorneys' fees with regard to this action, as
14 between each other.

15 Dated: August , 2011

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17 By: /s/Stuart C. Clark
18 Stuart C. Clark (#124152)
19 CARR & FERRELL LLP
120 Constitution Drive
Menlo Park, CA 94025

20 Attorneys for plaintiffs GOLF CITY PRODUCTS and JOHN
21 NISWONGER

22 Dated: August , 2011

23
24 By: /s/Laurence D. Grossman
Laurence D. Grossman (#47937)


25 LAW OFFICES OF LAURENCE GROSSMAN
26 1701 Solar Drive, #261
27 Oxnard, CA 93030-0154 Telephone: (650) 812-3400

28 Attorneys for defendants AFTERSHOCK, JENNIFER
WHITE, and REX WHITE

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ACCORDING TO STIPULATION, IT IS SO ORDERED

DATED: September 29, 2011



HON. CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE

PROOF OF SERVICE

I am a citizen of the United States. My business address is 120 Constitution Drive, Menlo Park, California 94025. I am employed in the county of San Mateo where this service occurs. I am over the age of 18 years and not a party to the within cause. I am readily familiar with my employer's normal business practice for collection and processing of correspondence for mailing with the U.S. Postal Service, and that practice is that correspondence is deposited with the U.S. Postal Service the same day as the day of collection in the ordinary course of business.

On the date set forth below, following ordinary business practice, I served true copies of the foregoing document(s) described as **STIPULATION AND [PROPOSED] ORDER FOR WITH PREJUDICE DISMISSAL OF ACTION AS TO AFTERSHOCK, JENNIFER WHITE, AND REX WHITE**

- ☐ (BY EMAIL) by transmitting via electronic mail the document(s) listed above to the email address(es) set forth below, or as stated on the attached service list.
- ☒ (BY MAIL) by causing envelopes containing such copies, with postage thereon fully prepaid, to be placed in the United States Mail at Menlo Park, California, addressed as follows.

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James Larson

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Attorneys for Aftershock, Jennifer White,
and Rex White

1 I declare under penalty of perjury under the laws of the United States of America that the
2 foregoing is true and correct.

3 Executed on September , 2011 at Menlo Park, California.

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